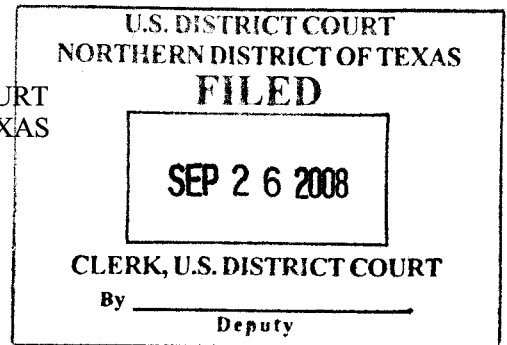


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



JAY LEON COCHRAN,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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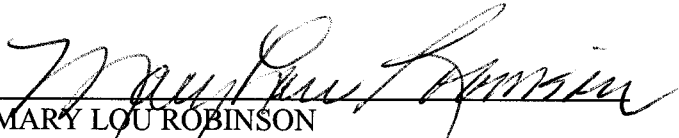
**ORDER OVERRULING OBJECTIONS,  
ADOPTING REPORT AND RECOMMENDATION, and  
DENYING RESPONDENT'S MOTION TO DISMISS**

Came for consideration the Motion to Dismiss filed by respondent NATHANIEL QUARTERMAN on January 23, 2008. On September 5, 2008, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion to dismiss be denied. Respondent has filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has reviewed the Report and Recommendation of the Magistrate Judge, as well as respondent's objections, and has made an independent examination of the record in this case. The District Judge is of the opinion that the objections filed by respondent should be, and hereby are, OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, respondent's motion to dismiss is DENIED.

IT IS SO ORDERED.

ENTERED this 26<sup>th</sup> day of September 2008.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE  
UNITED STATES DISTRICT JUDGE